

Appl. No. 10/064,865
Amdt. dated December 7, 2004
Reply to Office action of September 22, 2004

REMARKS/ARGUMENTS

1. Rejection of claim 1 under 35 U.S.C. 112, second paragraph:

5 Claim 1 is rejected under 35 U.S.C. 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention for reasons of record, as recited on page 2 of the above-indicated Office action.

Response:

10 The applicant has deleted the matter that was unintentionally added to claim 1. Reconsideration of claim 1 is respectfully requested.

2. Rejection of claims 1-5 under 35 U.S.C. 102(e):

15 Claims 1-5 are rejected under 35 U.S.C. 102(e) as being anticipated by Kuo et al. (US 2003/0036377) for reasons of record, as recited on pages 3-4 of the above-indicated Office action.

Response:

20 Attached is an affidavit from the applicant under 37 CFR 1.132 (as explained in MPEP 716.10) attributing relevant portions of the Kuo et al. reference to the applicant. As shown in the affidavit, although joint inventors filed the reference application, the applicant of the instant application was the inventor who conceived of the idea of initializing the x most significant bits of integrity counts of both a first station and a second station to the START value. Accordingly, this subject matter of
25 the Kuo et al. reference is not applicable in rejecting the claims of the instant application.

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In view of this, claims 1-5 are not taught or suggested by the prior art of record, and reconsideration of claims 1-5 is requested. The applicant respectfully requests that a timely Notice of Allowance be issued in this case.

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Sincerely yours,

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Date: December 8, 2004

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Attachments

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